

MEMORANDUM

Date: December 1, 2014
To: Transfer 79669
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to add a point of diversion and update the place of use for right 29-2481. Although two additional POD locations are listed on the transfer application, only one well will ultimately be used. A second additional POD location was requested to provide flexibility in the event insufficient water is found at the first location.

The POU is being updated to reflect the installation of two pivots. The POU proposed in the application and the proposed shape appear slightly different due to a difference between the PLSS grid and the aerial photography.

The application required an amendment because the applicant could not secure permission from the owner of the property in the NWNW of Section 17, T07S R39E to irrigate 1.6 acres on that ground. Those 1.6 acres will instead remain in the NESE of Section 7, T07S R39E.

Authority to File:

The applicant, Jayson Hatch, has the authority to file.

The listed owners of the right were A. Paul Hatch and Audrey H. Hatch, the applicant's parents. Instrument number 177015 deeded 1/2 interest of the land onto which 29-2481 was decreed from A. Paul Hatch, Jr. to Jayson R. Hatch. The applicant stated that the other half interest was owned by Audrey Hatch, who died in November 2004.

According to the Caribou County Tax Assessor's office, Jayson Hatch is the sole owner of all of the land that was and will be covered by water right 29-2481.

As a result of the deed, the death, and the Tax Assessor's information, the ownership of the right will be updated to Jayson Hatch.

Water Right Validity:

The water right is valid.

The right was decreed on 3/22/2004. Post decree aerial photography indicates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result of this transfer.

The transfer was advertised and no protests were received.

Enlargement of Use:

No enlargement of use will result from this transfer's approval as neither rate or irrigated acres are authorized to be increased.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.